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14 *Attorneys for Plaintiff The Anschutz Corporation*

15 **IN THE UNITED STATES DISTRICT COURT**
 16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18 THE ANSCHUTZ CORPORATION,

Case No. C 09-3780-SI

19 Plaintiff,

**JOINT REQUEST FOR A
 CONTINUANCE OF THE CASE
 MANAGEMENT CONFERENCE**

20 v.

21 MERRILL LYNCH & CO., INC.;
 22 MERRILL LYNCH, PIERCE,
 FENNER & SMITH INCORPORATED;
 23 DEUTSCHE BANK SECURITIES INC.;
 MOODY'S INVESTORS SERVICE,
 24 INC.; THE MCGRAW-HILL
 COMPANIES, INC.; FITCH, INC.;
 25 AND FITCH RATINGS, LTD.,

Date: February 4, 2011
 Time: 3:00 P.M.
 Ctrm: 10
 Judge: Hon. Susan Illston

26 Defendants.

DEMAND FOR JURY TRIAL

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 JOINT REQUEST FOR A CONTINUANCE OF THE CASE MANAGEMENT CONFERENCE;
 Case No. C 09-3780-SI

1 The parties jointly submit this Request for a Continuance of the Case Management
2 Conference (the "CMC"), currently scheduled for February 4, 2011 at 3:00 p.m., to March 11,
3 2011, at 3:00 p.m. or such earlier time on that date as the Court may have available.

4 During the October 26, 2010 hearing on Defendants' Motions To Dismiss, the Court
5 scheduled December 14, 2010 as the default date for the CMC, provided that the Court had issued
6 a ruling on the Motions in advance of that date. On December 7, 2010, the parties stipulated to
7 continue the December 14, 2010 hearing date until February 4, 2011. As the Court knows, all
8 discovery in this case has been stayed pending this Court's rulings on Defendants' Motions to
9 Dismiss. In the Joint Case Management Statement filed on October 19, 2010 (DN 198), the
10 parties agreed to meet and confer within 10 business days of the Court's rulings on Defendants'
11 Motions To Dismiss, at which time the parties will engage in further discussions concerning the
12 disclosures required by Federal Rule of Civil Procedure 26(a)(1), any modifications to limits on
13 the number of interrogatories and depositions, and the development of a discovery plan in
14 accordance with Rule 26(f)(2)-(f)(3), including disclosure or discovery of electronically-stored
15 information. In order to allow sufficient time for these meet and confer discussions prior to the
16 CMC and to promote judicial efficiency and economy, the parties respectfully request that the
17 CMC be continued until March 11, 2011, or until such other time as the Court deems proper.
18 Counsel are informed that this Court has availability for the CMC at 3:00 p.m. on March 11.
19 Counsel for many of the parties will be traveling from the East Coast and therefore respectfully
20 request that, should the Court reschedule the CMC to March 11, the Court set the CMC for an
21 earlier time on that date, if any such time is available.

22
23 Dated: January 28, 2011

/s/ Kevin J. Miller
Attorney for Plaintiff
The Anschutz Corporation

24
25 Dated: January 28, 2011

/s/ David T. Biderman
Attorney for Defendant
The McGraw-Hill Companies, Inc.

26
27 Dated: January 28, 2011

/s/ Jonathan A. Patchen
Attorney for Defendants
Fitch, Inc. and Fitch Ratings, Ltd.

1 Dated: January 28, 2011

/s/ Elizabeth A. Frohlich
Attorney for Defendant
Deutsche Bank Securities Inc.

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GENERAL ORDER NO. 45 CERTIFICATION

I, Kevin J. Miller, hereby attest pursuant to Northern District of California General Order No. 45 that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: January 28, 2011

/s/ Kevin J. Miller
Kevin J. Miller

